FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

OCT 12 2016
2:01 pm
Stephan Harris, Clerk
Cheyenne

United States District Court
For The District of Wyoming

UNITED STATES OF AMERICA,

V.

TIMOTHY ANDREW NEEFE.

ORDER SETTING
CONDITIONS OF RELEASE

Case Number: 16-CR-185-F

IT IS ORDERED that the release of the defendant is subject to the following conditions:

(1) The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.

(2) The defendant shall immediately advise the court, defense counsel and the U.S. attorney in writing of any change in address and telephone number.

(3) The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at Cheyenne, Wyoming (Courtroom No. 1) on 12/12/16 at 8:30 a.m.

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

(4) The defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.

(5) The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Ten Thousand dollars ($10,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED the release of the defendant is subject to the conditions marked below:

(6) **The defendant shall:**

- report to the U.S. Probation Office as directed.
- not violate any local, state or federal law.
- reside with his father, John Neefe, in Cheyenne, Wyoming, and he shall not move from his father's residence while this case is pending.
- not purchase a computer. The defendant is limited to having one device which will allow him internet access. He shall allow the U.S. Probation Office access to the device for monitoring which internet sites he is accessing.
- seek and maintain full-time employment of 35 hours per week. He shall provide documentation of his employment to the U.S. Probation Office.
- not have any unsupervised contact with any minor child, including his own children, under the age of 18 years old. All contact with any other minor children must be in the presence of a responsible adult approved by the U.S. Probation Office.
- refrain from the use or unlawful possession of a narcotic drug or other controlled substance defined in 21 U.S.C. 802 unless prescribed by a licensed medical practitioner.
- not possess, send or receive any pornographic, sexually oriented, or sexually stimulating visual, auditory, telephonic or electronic signs, signals or sounds from any source, unless part of a treatment regimen. He shall not visit bulletin boards, chat rooms or other Internet sites where any pornographic, sexually oriented or sexually stimulating images or messages are discussed. He shall not send or receive email, text messages or other documents discussing any pornographic, sexually oriented, or sexually stimulating images or messages. The defendant shall not utilize file sharing programs such as peer to peer networks for any reason.
- submit to a search of his person / residence / vehicle / computer / office / cellular telephone based upon reasonable suspicion of a violation of the conditions of release.

- not use, purchase or possess any firearms, ammunition or other dangerous weapons.

- not travel outside of Laramie or Albany County, Wyoming, for any reason while this case is pending. The Defendant may travel to Carbon County, Wyoming or Colorado for legal purposes with prior permission from the US Probation Officer.

- undergo a mental health evaluation and comply with any and all recommendations if directed to do so by the United States Probation Office.

Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401, which could result in a possible term of imprisonment or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not less than two years nor more than ten years if the offense is a felony; or a term of imprisonment of not less than ninety days nor more than one year if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years of imprisonment and a $250,000 fine to intimidate or attempt to intimidate a witness, juror, or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years of imprisonment and a $250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years imprisonment and a $250,000 fine to tamper with a witness, victim, or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years of imprisonment and a $250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of sentence pursuant to a court order. If the defendant was released in connection with a charge of, or while awaiting sentence, surrender for the service of a sentence, or appeal or certiorari after conviction, for:

(1) an offense punishable by death, life imprisonment for a term of fifteen years or more, the defendant shall be fined not more than $250,000 or imprisoned for not more than ten years, or both;

(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than $250,000 or imprisoned for not more than five years, or both;

(3) any other felony, the defendant shall be fined not more than $250,000 or imprisoned not more than two years, or both;

(4) a misdemeanor, the defendant shall be fined not more than $100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

[signature]

Signature of Defendant

Cheyenne, WY 82001

City/State/Zip

Direction to United States Marshal

- **The defendant is ORDERED released after processing.**

Date: October 12, 2016

[signature]

Kelly H. Rankin, Chief United States Magistrate Judge